

Plaintiffs Steven J. Orosz, Jr. (“Orosz”) and Florence L. Schroeder (“Schroeder”) bring this action against defendants The Stanley Works (“Stanley”) and Chicago Steel Tape Co., d/b/a CST/berger (“CST”), and allege as follows:

THE PARTIES

1. Orosz is an individual residing in the city of Oregon in Lucas County, Ohio. Orosz is the inventor of and owns an interest in the patent at issue in this case.

2. Schroeder is an individual residing in the city of Sylvania in Lucas County, Ohio, and owns an interest in the patent at issue in this case.

3. Stanley is a corporation organized and existing under the laws of the State of Connecticut, having a principal place of business at 1000 Stanley Drive, New Britain, Connecticut 06053, and is doing business in this judicial district and elsewhere in the United States. Stanley may be served with process by serving its registered agent for Ohio, CT Corp System, 1300 East 9th Street, Cleveland, Ohio 44114.

4. CST is a corporation organized and existing under the laws of the State of Illinois, having a principal place of business at 255 West Fleming Street, Watseka, Illinois 60970, and is doing business in this judicial district and elsewhere in the United States. CST may be served with process by serving its registered agent, C T Corporation System, 208 South LaSalle Street, Suite 814, Chicago, Illinois 60604-1101.

JURISDICTION

5. This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, United States Code.

6. Subject-matter jurisdiction over Orosz and Schroeder's claims is conferred upon this Court by 28 U.S.C. §§ 1331 and 1338(a).

7. On information and belief, Stanley and CST have each solicited business in the State of Ohio, transacted business within the State of Ohio and attempted to derive

financial benefit from residents of the State of Ohio, including benefits directly related to the instant patent infringement cause of action set forth herein.

8. On information and belief, Stanley and CST have each placed infringing laser level devices into the stream of commerce throughout the United States, which laser level devices have been made, offered for sale, sold and/or used in the State of Ohio and/or in the Northern District of Ohio.

9. Stanley and CST, directly or through their respective subsidiaries, divisions or groups, have each committed acts of infringement in this judicial district, is subject to personal jurisdiction in this judicial district, and/or is doing business in this judicial district.

10. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c) and 1400(b) and Rule 3.8 of the Local Civil Rules for the Northern District of Ohio.

PATENT INFRINGEMENT

11. On November 17, 1998, U.S. Patent No. 5,836,081 ("the '081 patent"), entitled "Light Beam Leveling Means and Method", a copy of which is attached hereto as Exhibit A, was duly and legally issued to inventor Orosz. Orosz owns two-thirds (2/3) of the '081 patent, and Schroeder owns the other one-third (1/3) of the '081 patent.

12. The '081 patent is presumed valid.

13. Upon information and belief, Stanley and CST have each in the past and continue to infringe, contribute to infringement, and/or induce infringement of the '081 patent by making, using, selling and/or offering to sell, in this judicial district and elsewhere in the United States, laser level products that are covered by claim 1 of the '081 patent.

14. Stanley and CST are each liable for infringement of the '081 patent pursuant to 35 U.S.C. § 271.

15. Stanley's and CST's acts of infringement have caused damage to Orosz and Schroeder, and Orosz and Schroeder are entitled to recover from Stanley and CST the damages sustained as a result of Stanley's and CST's wrongful acts in an amount subject to proof at trial.

16. As a consequence of the infringement complained of herein, Orosz and Schroeder have been irreparably damaged to an extent not yet determined and will continue to be irreparably damaged by such acts in the future unless Stanley and CST are enjoined by this Court from committing further acts of infringement.

PRAYER FOR RELIEF

WHEREFORE, Orosz and Schroeder pray for entry of judgment that:

A. Stanley and CST have each infringed, contributed to infringement of and/or induced infringement of claim 1 of the '081 patent;

B. Stanley and CST each account for and pay to Orosz and Schroeder all their damages caused by their respective infringement of the '081 patent;

C. Orosz and Schroeder be granted permanent injunctive relief pursuant to 35 U.S.C. § 283 enjoining Stanley and CST, and their respective officers, agents, servants, employees and those persons in active concert or participation with them from further acts of patent infringement;

D. Orosz and Schroeder be granted pre-judgment and post-judgment interest on the damages caused to them by reason of Stanley's and CST's patent infringement;

E. Costs be awarded to Orosz and Schroeder; and,

F. Orosz and Schroeder be granted such other and further relief as the Court may deem just and proper under the circumstances.

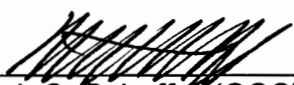
DEMAND FOR JURY TRIAL

Orosz and Schroeder demand trial by jury on all claims and issues so triable.

Respectfully submitted,

EMCH, SCHAFFER, SCHAUB
& PORCELLO CO.

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